

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

DIAMONDBACK INDUSTRIES, INC.	§	
	§	
<i>Plaintiff,</i>	§	
	§	
vs.	§	Case No. 6:19-CV-00034-ADA
	§	(Consolidated with 6:19-CV-00036-ADA)
REPEAT PRECISION, LLC; NCS	§	
MULTISTAGE, LLC and NCS	§	
MULTISTAGE HOLDINGS, INC.,	§	
	§	
<i>Defendants.</i>	§	

SUGGESTION OF BANKRUPTCY

Plaintiff Diamondback Industries, Inc. (“Diamondback”) files this Suggestion of Bankruptcy (the “Notice”) and respectfully represents as follows:

On April 21, 2020 (the “Petition Date”), plaintiff Diamondback, along with its affiliates Discerner Holdings, Inc. and Discerner Investments, LLC (collectively, the “Debtors”), filed voluntary petitions (the “Voluntary Petitions”) for relief under Chapter 11 of title 11 of the U.S. Code (the “Bankruptcy Code”). The Debtors’ cases are being jointly administered under the case styled and numbered as follows: *In re Diamondback Industries, Inc., et al.*, United States Bankruptcy Court, Northern District of Texas, Fort Worth Division, Case No. 20-41504-ELM11 (the “Chapter 11 Cases”). A true and correct copy of Diamondback’s Voluntary Petition is attached to this Notice as **Exhibit A**.

Pursuant to Bankruptcy Code § 362, the automatic stay was activated upon the filing of the Voluntary Petition. The filing of a bankruptcy case operates as an automatic stay of, among other things, the commencement or continuation of a judicial action against the debtor that was or could have been commenced before the filing of the bankruptcy case and any act to obtain

possession or control of property of the estate. 11 U.S.C. §§ 362(a)(1) and (3). The automatic stay is applicable to all entities, including the plaintiffs in the above-styled case. 11 U.S.C. § 362(a).

Proceedings in the above captioned case as related to Diamondback are consequently stayed pursuant to Bankruptcy Code § 362.

All questions concerning the Chapter 11 Cases should be referred to Diamondback's bankruptcy counsel:

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Dated: April 21, 2020

Respectfully submitted,

/s/ David Keltner

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Counsel for Diamondback Industries, Inc.

CERTIFICATE OF SERVICE

This is to certify that on this 21st day of April, 2020, I electronically filed the foregoing document with the Clerk of the Court for the U.S. District Court, Western District of Texas, Waco Division, using the CM/ECF system of the Court and that a copy of the same was served on all counsel of record by either electronic notification or by electronic mail.

/s/ David Keltner

David E. Keltner